

**NOTICE TO LICENSED CIGARETTE WHOLESALERS
ON REQUIREMENTS TO FILE FORM FR-467E**

LICENSED CIGARETTE WHOLESALERS QUARTERLY REPORT

Pursuant to the "Tobacco Product Manufacturer Reserve Fund Complementary Procedures Act of 2004" ("Act"), the District of Columbia Office of Tax and Revenue ("OTR") is implementing new quarterly filing requirements for District of Columbia licensed cigarette wholesalers. Every District of Columbia licensed cigarette wholesaler must file quarterly reports on Form FR-467E as described in this Notice under "New Reporting and Compliance Requirements for Wholesalers." A copy of the Act is attached.

The first quarterly report will be due June 7, 2004. Subsequent reports will be due 20 calendar days after the end of each calendar quarter.

We have enclosed a copy of the revised Form FR-467E and the instructions. You may duplicate the Form for future use.

Form FR-467E is now a quarterly report applicable to *all* brands of cigarettes instead of a monthly report applicable only to cigarettes from manufacturers that are not Participating Manufacturers under the tobacco Master Settlement Agreement.

Should you have any questions concerning this requirement, contact Sydney C. Hosten, Supervisory Tax Auditor, at (202) 442-6618.

Please send your completed Form FR-467E to:

<p>Government of the District of Columbia Office of Tax and Revenue Audit Division – Cigarette Compliance Unit P.O. Box 556, Washington, DC 20044 Telephone: (202) 442-6618 Fax: (202) 442-6883</p>

NEW REPORTING AND COMPLIANCE REQUIREMENTS FOR CIGARETTE WHOLESALERS

The "Tobacco Product Manufacturer Reserve Fund Complementary Procedures Act of 2004" ("Act") imposes new quarterly reporting requirements on District of Columbia ("D.C.") licensed cigarette wholesalers.

The new law requires the District of Columbia to publish a list of tobacco product manufacturers and brands that are compliant with D.C. law. Brands of tobacco manufacturers that fail to comply with the certification requirements of the Act will not be retained in this directory. Only those brands listed in the directory will be permitted to be offered for sale, possessed for sale, stamped for sale or sold in D.C. Brands not listed in this directory will immediately be deemed contraband product and subject to seizure and forfeiture as provided in the Act.

The directory of tobacco products and manufacturers that are fully compliant with D.C. law will be published and posted on the D.C. Office of the Chief Financial Officer's ("OCFO") web page (<http://www.cfo.dc.gov>) on or before September 20, 2004. This directory will be updated by the OCFO as necessary to add or remove tobacco product manufacturers or brands to keep the directory in conformity with the requirements of the Act.

It is each licensed cigarette wholesaler's responsibility to frequently check this list to ensure that it is not purchasing, stamping, possessing, or selling contraband cigarettes.

Each licensed cigarette wholesaler must provide and update as necessary to the OCFO an electronic mail address for the purpose of receiving any notifications that may be required by the Act. For this purpose, the OCFO has asked us to include a "D.C. Licensed Cigarette Wholesaler Electronic Mail Address Reporting Form" along with this Notice. Fill out this attached form and return it to the OCFO by June 7, 2004.

To facilitate compliance with the Act, each licensed cigarette wholesaler must submit to the Office of Tax and Revenue ("OTR"), no later than 20 calendar days after the end of each calendar quarter, information about cigarettes and roll-your-own tobacco (from any manufacturer) stamped for the District of Columbia. Form FR-467E has been revised to collect this information. Directions for filling out this new form are

attached. Form FR-467E is now a quarterly report applicable to *all* brands of cigarettes, instead of a monthly report applicable only to cigarettes from manufacturers that are not Participating Manufacturers under the tobacco Master Settlement Agreement.

The first report on the new form will be due from cigarette wholesalers on or before June 7, 2004, for the quarter ending March 31, 2004. Licensed cigarette wholesalers must maintain and, upon request, make available to the OTR all invoices and documentation of sales of all Non-Participating Manufacturer cigarettes and any other information relied upon in reporting to OTR for a period of five (5) years.

A licensed cigarette wholesaler in violation of the Act, or any regulation adopted pursuant to the Act, is subject to the following penalties:

- Suspension or revocation of the cigarette wholesaler's license.
- A civil penalty in an amount not to exceed the greater of 500% of the retail value of the cigarettes sold or \$5,000.00.
- Seizure, forfeiture, and destruction of any contraband cigarettes that have been sold, offered for sale, possessed for sale, stamped for sale, or imported for personal consumption in D.C.

This office will vigorously pursue any alleged violations of this new law.

The completed Form FR-467E should be sent to the District of Columbia Office of Tax and Revenue, Audit Division - Cigarette Compliance Unit, P.O. Box 556, Washington, D.C. 20044.

Any questions regarding the requirements set forth in this Notice may be directed to Sydney C. Hosten, Supervisory Tax Auditor, at (202) 442-6618.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF TAX AND REVENUE
AUDIT DIVISION

**WHOLESALERS QUARTERLY REPORT OF SALES OF DISTRICT OF COLUMBIA STAMPED CIGARETTES
AND/OR ROLL-YOUR-OWN (RYO) TOBACCO
BY MANUFACTURER'S BRAND FAMILY**

Wholesaler's Name _____ License/Registration No. _____

Quarterly Reporting Period _____

List all cigarettes stamped with a District of Columbia Tax Stamp and all sales of roll-your-own tobacco for the quarterly reporting period:

	(A)	(B)	(C)	(D)	(E)	(F)
	Brand Family	Number of Cigarettes Stamped (Sticks)	RYO Equivalent Stick Count (At .09 oz. Each)	Manufacturer (Name and Address)	Entity from which Wholesaler Purchased (Name and Address)	First Importer if Foreign Manufactured Product (Name and Address)
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.	Total					

I do solemnly declare and affirm under penalty of perjury that the contents of the foregoing document are true and correct to the best of my knowledge, information and belief.

Signature

Title: Owner/Partner/Officer

Date

Instructions for Completing Form FR-467E - Wholesalers Quarterly Report of District of Columbia Stamped Cigarettes and/or Roll-Your-Own Tobacco

Who must file this Form?

Licensed District of Columbia cigarette and roll-your-own (RYO) tobacco wholesalers must file this Form.

When must this Form be filed?

This Form must be filed no later than 20 calendar days after the end of each calendar quarter. The due dates for this Form are January 20, April 20, July 20, and October 20, of each year, except that the first due date is June 7, 2004.

What must be reported on this Form?

Licensed wholesalers must provide on this Form a list, by Brand Family, of the numbers of cigarettes stamped with a District of Columbia tax stamp during the preceding calendar quarter. Licensed wholesalers must also provide on this Form, by Brand Family, the equivalent stick count for all RYO tobacco stamped during the preceding calendar quarter. In addition, licensed wholesalers are to include, if known, the name and address of each manufacturer, entity from which the cigarettes or RYO tobacco were purchased, and first importer if the cigarettes or RYO tobacco were manufactured in a foreign country. Tax on RYO tobacco will have been reported and paid on your Wholesaler's Monthly Tax Return, Form FR-467, filed each month of the calendar quarter.

What is a "Brand Family"?

The Brand Family means all styles of cigarettes sold under the same trademark and differentiated from one another by additional modifiers or descriptors, including "menthol," "lights," "kings," "100s," and including any brand name (alone or in conjunction with any other word), trademark, logo, symbol, motto, selling message, recognizable pattern of colors, or any other indicia of product identification identical or similar to, or identifiable with, a previously known brand of cigarettes.

What is "Equivalent Stick Count"?

For the purpose of determining the equivalent stick count on this report, .09 ounces of RYO tobacco will be considered the same as one cigarette. This is the loose tobacco equivalent to one cigarette as defined by the Tobacco Master Settlement Agreement.

Column(s)

Line (s)

A	1-12	For each brand of cigarettes or RYO tobacco sold, enter the Brand Family name.
B-C	1-12	For each Brand Family enter the number of individual cigarettes, or the equivalent stick count using a factor of .09 ounces per stick for RYO tobacco. For RYO, the counts entered will be for the equivalent of individual cigarettes. For manufactured cigarettes, the count entered will be individual cigarettes (in stamped packs).
D-F	1-12	From the information found in invoices, purchase agreements, packaging or labeling materials and shipping documents, provide as much information as possible to identify the manufacturer, seller and first importer (if applicable) and the address for each Brand Family stamped or sold.
B-C	13	In Column B, enter the total for lines 1-12 of individual cigarettes sold during the quarter. In column C, enter the total for lines 1-12 RYO stick equivalent sold during the quarter.

Note: The supporting material and records used to complete this Form must be retained for five (5) years from the due date, or filing date of this report, whichever is later.